

JAN 19 2006

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WEI JUN CHEN,

Defendant - Appellant.

No. 04-10141

D.C. No. CR-03-00016-ARM-02

MEMORANDUM*

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JIA HUAN CHEN,

Defendant - Appellant.

No. 04-10164

D.C. No.
CR-03-00016-ARM-003

Appeal from the United States District Court
for the District of the Northern Mariana Islands
Alex R. Munson, Chief District Judge, Presiding

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

Submitted January 9, 2006**

Before: HUG, O'SCANNLAIN, and SILVERMAN, Circuit Judges.

Wei Jun Chen and Jia Huan Chen appeal their 78-month sentences imposed following convictions for conspiracy to collect extensions of credit by extortionate means, and collection of extensions of credit by extortionate means, in violation of 18 U.S.C. §§ 2 and 894. We have jurisdiction pursuant to 28 U.S.C. § 1291.

We remand to the sentencing court to proceed pursuant to *United States v. Ameline*, 409 F.3d 1073, 1084-85 (9th Cir. 2005) (en banc).

REMANDED.

** This panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).